

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS

No. 6:20-cv-00082

Mark Tyrone Johnson,
Petitioner,

v.

Sheriff, Gregg County,
Respondent.

Before BARKER, *District Judge*

ORDER

Petitioner Mark Tyrone Johnson, a pretrial detainee confined in the Gregg County Jail, proceeding pro se, filed the above-styled and numbered petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2241. The case was referred to United States Magistrate Judge John D. Love. Doc. 2. Judge Love issued a report and recommendation that the petition be dismissed without prejudice for failure to exhaust state remedies and that a certificate of appealability be denied. Doc. 3.

Petitioner filed written objections to the report. Doc. 4. He did not, however, file “specific written objections to the proposed findings and recommendations,” as required by Federal Rule of Civil Procedure 72(b)(2). Instead, his objections were general. General objections do not entitle petitioner to de novo review of the magistrate judge’s report. *See* Fed. R. Civ. P. 72(b)(3) (district court must review de novo “any part” of report and recommendation that is “properly” objected to). Therefore, the court need only review the report and recommendation for clear error, abuse of discretion, or legal conclusions contrary to law. *See United States v. Wilson*, 864 F.2d 1219, 1221 (5th Cir. 1989).

Having reviewed the report and recommendation, the court finds no clear error, abuse of discretion, or legal

conclusions contrary to law. Accordingly, petitioner's objections (Doc. 4) are **overruled**. The report and recommendation (Doc. 3) is **adopted**. This case is **dismissed without prejudice** for failure to exhaust state remedies. A certificate of appealability is **denied**. Any outstanding motions are **denied as moot**. The clerk of court is **directed** to close this case.

So ordered by the court on March 27, 2020.



J. CAMPBELL BARKER
United States District Judge